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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/716,185	11/18/2003	Jeffrey Peter Allen	05046-00035	4141

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BANNER & WITCOFF, LTD.
28 STATE STREET
28th FLOOR
BOSTON, MA 02109-9601

EXAMINER	
ECHELMEYER, ALIX ELIZABETH	
ART UNIT	**PAPER NUMBER**
1745	

DATE MAILED: 05/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/716,185	ALLEN ET AL.	
	Examiner	Art Unit	
	Alix Elizabeth Echelmeyer	1745	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 November 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-15* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-15* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *6-21-04,12-14-04*, 1-05-05
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Priority

1. Acknowledgment of Applicants' claim of priority to provisional application 60/427,095 is made.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 3 and 11 recite the limitation "the" in second seal area. There is insufficient antecedent basis for this limitation in the claim. The examiner has interpreted "the second seal area" to be the first edge area not containing the turnaround plenums.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1-6 and 9-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carlstrom (US Patent Number 7,027,784) in view of Franklin et al. (US Pre-Grant Publication 2002/0022170) in further view of Baker (US Patent Number 4,877,693).

Carlstrom teaches a flow field plate with at least two interlocking layers forming internal channels between them. The first layer includes first lands and first channels. The second layer includes second lands and second channels. The plates interlock to form a series of third channels. The first channel is intended to carry fuel and the second to carry oxidant (abstract; Figure 1; column 3 lines 1-24).

Although Carlstrom does not explicitly teach the edge areas at the opposing ends of the plates, the plates are not infinite and therefore end at some point. At that point, they form edge areas.

Regarding claims 1 and 9, Carlstrom fails to teach internal fuel manifolds, either a single one or a plurality of manifolds. Franklin et al. teach either a single or multiple manifold(s) for the delivery and removal of reactants and reactant products to and from the separator plate (abstract; claim 2 of Franklin et al.).

The manifolds of Franklin et al. would improve the separator plate of Carlstrom by allowing for delivery and removal of reactants and reactant products to and from the separator plate.

Therefore, it would have been obvious to one having ordinary skill in the art to combine the manifold(s) of Franklin et al. with the separator plate of Carlstrom in order to aid delivery and removal of reactants and reactant products.

Carlstrom also fails to teach the turnaround plenum in fluid communication with the center flow channels and the anode flow channels.

Baker teaches the passage of fuel through fuel chambers that are coupled to entry ports of anode chambers. The fuel passes through the first chamber, enters a manifold, and then makes a u-turn into the anode passages (Figure 1; column 3 lines 1-29).

The turnaround plenum of the instant application and the manifold of Baker solve the same problem of directing fuel from a first chamber to a second chamber, without contamination, where it can facilitate the reaction of the fuel cell.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to use the manifold and port coupling of Baker in the separator plate of the Carlstrom in order to direct fuel from one chamber to another.

Regarding claims 2 and 10, Carlstrom in view of Franklin et al. teaches the separator plate assembly but fails to teach the use of a catalyst in the first fuel flow passages.

Baker teaches that the first fuel flow passages, discussed above, contain a catalyst. Baker further teaches that the internal reforming of fuel is advantageous because it eliminates the need for external fuel processing, thereby increasing the efficiency of the system (column 1 lines 23-29).

The use of a catalyst in the first fuel flow chamber of the separator plate taught by Carlstrom, Franklin et al., and Baker is advantageous because it eliminates the need for external fuel processing and increases the efficiency of the system.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to add the catalyst to the first fuel passage chambers of the separator plate of Carlstrom, Franklin et al., and Baker in order to increase the efficiency of the system by eliminating the need for external fuel processing.

As for claims 3 and 11, the turnaround portion taught by Baker includes an input port and manifold fluidly connecting the first fuel flow passage with the second.

With regard to claims 4 and 12, Carlstrom in view of Franklin et al. teach a separator plate that is bent over at the ends to support the seals (Franklin et al., [0083]).

Regarding claim 5, Carlstrom in view of Franklin et al. teaches the multiple manifolds, or segments, that internally connect to the first and second sets of passages.

As for claims 6 and 13, Carlstrom in view of Franklin et al. and Baker is silent on whether the internal fuel manifold(s) are substantially parallel to a flow path of the bipolar plate. However, it would have been obvious to one having ordinary skill in the art at the time the invention was made to make the manifold(s) parallel to the flow path of the bipolar plate, since it has been held that rearranging parts of an invention, for example rearranging the relationship between the manifolds and the flow passages, involves only routine skill in the art. MPEP 2144 (VI).

5. Claims 7, 8, 14, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carlstrom, Franklin et al. and Baker as applied to claims 1 and 9 above, and further in view of Jones (US Patent Number 6,007,933).

The teachings of Carlstrom, Franklin et al., and Baker as described above are incorporated herein.

Carlstrom, Franklin et al., and Baker teach the separator plate but fail to teach the plurality of flat wires on the surface of the first sheet and an electrode positioned on the wires.

Jones teaches wires disposed between the bipolar plate and electrode to distribute reactants and products and to provide deformability and resiliency in the cell (column 2 lines 15-21).

The combination of the wires and electrode of Jones with the separator plate of Carlstrom, Franklin et al., and Baker is desirable because it helps with the distribution of reactants and products and provides deformability and resiliency in the cell.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the wires and electrode of Jones with the separator plate disclosed above in order to distribute the reactants and products and to provide deformability and resiliency in the cell.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alix Elizabeth Echelmeyer whose telephone number is 571-272-1101. The examiner can normally be reached on Mon-Fri 7-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick J. Ryan can be reached on 571-272-1292. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PATRICK JOSEPH RYAN
SUPERVISORY PATENT EXAMINER

Alix Elizabeth Echelmeyer
Examiner
Art Unit 1745

aee